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June 14, 2007

TO: Certified Lead Designers and Lead Supervisors

FROM: Mary T. Giguere, CIH, Manager
Health Hazards Control Unit

SUBJECT: **Occupant Protection Plan (OPP)**

The purpose of this memo is to eliminate some confusion about the requirements for the Occupant Protection Plan (OPP). The EPA regulations (40 CFR 745 Subpart L, Subsection .227) require a written OPP for all abatement projects. Additionally, the North Carolina Lead-Based Paint Hazard Management Program (LHMP) Rule, 10A NCAC 41C .0808 requires an OPP to be "on site" for all Lead-Based Paint Abatement Permits.

The EPA regulations require the written OPP to be completed before the abatement project begins and the OPP shall be "unique" for each residential dwelling and/or child-occupied facility. The OPP must address what measures and management procedures will be taken to protect the occupants from exposure to lead-based paint hazards.

The North Carolina LHMP Rule, 10A NCAC 41C .0801 further defines the OPP by allowing the certified lead supervisor to prepare an OPP when there are less than five residential dwellings. When there are five or more residential dwellings the certified lead designer must prepare the OPP.

In an effort to assist individuals with meeting the intent of the OPP, the Health Hazards Control Unit is providing some basic information that should be addressed in the OPP. This information is not inclusive and additional items may need to be added. Certified lead supervisors and designers preparing OPP's are strongly encouraged to address each of the items provided in the attachment.

If you have any questions about the requirements or attachment, please contact our office at (919) 707-5950.

MTG/jwd

Attachment

July 14, 1999; rev June 14, 2007



North Carolina Public Health
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Location: 5505 Six Forks Road, 2nd Floor, Room D-1 • Raleigh, N.C. 27609

Health Hazards Control Unit: Guidance for Writing an Occupant Protection Plan

MINIMUM CRITERIA FOR THE OCCUPANT PROTECTION PLAN (OPP)

- (1) The written OPP must be unique to each residential dwelling and/or child occupied facility. The written OPP must be on site for all permitted projects.
- (2) A certified lead supervisor can prepare the OPP when there are less than 5 residential dwellings. A certified lead designer must prepare the OPP when there are 5 or more residential dwellings.
- (3) The contractor or operator controlling the project is responsible for notifying the occupants about the Lead-Based Paint abatement project.
- (4) If the occupants have to leave the dwelling during the abatement, there must be a contingency plan in case clearance fails and the occupants cannot enter their dwelling.
- (5) If the occupants remain in the dwelling during abatement, and there is a breach in the containment, measures must be taken to address the breach and protect the occupants.
- (6) The occupants' personal belongings inside and outside of the dwelling must be protected.
- (7) Special needs issues, such as blind or handicapped occupants, must be addressed.
- (8) An emergency escape plan for the occupants who remain in the dwelling during abatement must be prepared.
- (9) The occupants' pets, inside or outside of the dwelling, must be protected.
- (10) Playground equipment and lawn furniture must be protected.
- (11) Soil in gardens and play areas must be protected.
- (12) The contractor must keep children from the surrounding neighborhood from entering the abatement area.

If you have additional items that should be added to this list, please contact the HHCU office at (919) 707-5950.

MTG/jwd

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